

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTONIO L. GREEN,	)	
	)	
Petitioner,	)	Civil Action No. 20-172
	)	District Judge Nora Barry Fischer/
v.	)	Magistrate Judge Maureen P. Kelly
	)	
MARK CAPOZZA,	)	
	)	
Respondent.	)	

**ORDER**

Antonio Green (“Petitioner”) has filed a Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (the “Petition”), ECF No. 10, seeking to attack his state court convictions for, *inter alia*, attempted homicide and aggravated assault in connection with the shooting of an adult male and a female child.

The case was referred to Magistrate Judge Maureen Kelly in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Civil Rules 72.C and D.

Magistrate Judge Kelly’s Report and Recommendation, ECF No. 2, filed on February 25, 2020, recommended that the Petition be dismissed pre-service pursuant to Rule 4 of the Rules Governing Section 2254 Cases and that a Certificate of Appealability be denied. Service of the Report and Recommendation was made on Petitioner by mail at his address of record. Petitioner was informed that he could file Objections to the Report by March 13, 2020. It is now past March 13, 2020 and no Objections have been filed.

Accordingly, IT IS HEREBY ORDERED this 16th day of March 2020, after de novo review of the record and the Report and Recommendation, the Petition for Writ of Habeas

Corpus is DENIED. A certificate of appealability is likewise DENIED. The Report is adopted as the opinion of the Court.

BY THE COURT:

*s/Nora Barry Fischer*

Nora Barry Fischer  
Senior U.S. District Judge

cc: The Honorable Maureen P. Kelly  
United States Magistrate Judge

ANTONIO L. GREEN  
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